

PROPOSED CONSTITUTIONAL AMENDMENTS

SENATE JOINT RESOLUTIONS

PROPOSED CONSTITUTIONAL AMENDMENT—INDEPENDENT SCHOOL DISTRICT TAXES

S. J. R. No. 6

Proposing an Amendment to Article VII of the Constitution of Texas by adding a Section to be known as Section 3-b, providing that school taxes theretofore voted in any independent school district, the major portion of which is within Dallas County, shall not be abrogated, canceled or invalidated by a change in boundaries nor shall bonds voted, but unissued, at the time of such change, be invalidated by such change; authorizing the levy of taxes after such change without further election in the district as changed; providing an exception in the case of the annexation or consolidation of whole districts; providing for an election and the issuance of a proclamation therefor.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Article VII of the Constitution of Texas be amended by adding thereto the following:

"Section 3-b. No tax for the maintenance of public free schools voted in any independent school district, the major portion of which is located in Dallas County, nor any bonds voted in any such district, but unissued, shall be abrogated, canceled or invalidated by change of any kind in the boundaries thereof. After any change in boundaries, the governing body of any such district, without the necessity of an additional election, shall have the power to assess, levy and collect ad valorem taxes on all taxable property within the boundaries of the district as changed, for the purposes of the maintenance of public free schools and the payment of principal of and interest on all bonded indebtedness outstanding against, or attributable, adjusted or allocated to, such district or any territory therein, in the amount, at the rate, or not to exceed the rate, and in the manner authorized in the district prior to the change in its boundaries, and further in accordance with the laws under which all such bonds, respectively, were voted; and such governing body also shall have the power, without the necessity of an additional election, to sell and deliver any unissued bonds voted in the district prior to any such change in boundaries, and to assess, levy and collect ad valorem taxes on all taxable property in the district as changed, for the payment of principal of and interest on such bonds in the manner permitted by the laws under which such bonds were voted. In those instances where the boundaries of any such independent school district are changed by the annexation of, or consolidation with, one or more whole school districts, the taxes to be levied for the purposes hereinabove authorized may be in the amount or at not to exceed the rate theretofore voted in the district having at the time of such change the greatest scholastic population according to the latest scholastic census

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and only the unissued bonds of such district voted prior to such change, may be subsequently sold and delivered and any voted, but unissued, bonds of other school districts involved in such annexation or consolidation shall not thereafter be issued."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this state at an election to be held throughout the State of Texas on the first Tuesday after the first Monday in November, 1962, at which election all ballots shall have printed thereon the following:

"FOR THE AMENDMENT TO ARTICLE VII OF THE CONSTITUTION OF TEXAS, BY ADDING THERETO SECTION 3-b PROVIDING THAT TAXES OR BONDS PREVIOUSLY VOTED IN ANY INDEPENDENT SCHOOL DISTRICT, THE MAJOR PORTION OF WHICH IS IN DALLAS COUNTY, SHALL NOT BE ABROGATED, CANCELED OR INVALIDATED BY ANY CHANGE IN BOUNDARIES AND AUTHORIZING THE CONTINUANCE OF THE LEVY OF TAXES AFTER SUCH CHANGE WITHOUT FURTHER ELECTION"

"AGAINST THE AMENDMENT TO ARTICLE VII OF THE CONSTITUTION OF TEXAS, BY ADDING THERETO SECTION 3-b PROVIDING THAT TAXES OR BONDS PREVIOUSLY VOTED IN ANY INDEPENDENT SCHOOL DISTRICT, THE MAJOR PORTION OF WHICH IS IN DALLAS COUNTY, SHALL NOT BE ABROGATED, CANCELED OR INVALIDATED BY ANY CHANGE IN BOUNDARIES AND AUTHORIZING THE CONTINUANCE OF THE LEVY OF TAXES AFTER SUCH CHANGE WITHOUT FURTHER ELECTION"

If it appears from the returns of said election that a majority of the votes cast were in favor of said Amendment, the same shall become a part of the State Constitution and be effective on and after the date of its adoption.

Sec. 3. The Governor shall issue the necessary proclamation for said election, and shall have the same published as required by the Constitution and laws of this state.

Passed the Senate, May 8, 1961: Yeas 29, Nays 0; passed the House, May 26, 1961: Yeas 118, Nays 10.

Filed without Governor's signature, June 17, 1961.